

Docket No.: 0054-0323PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Tsuyoshi NISHIOKA et al.

Application No.: NEW

Confirmation No.: N/A

Filed: August 29, 2006

Art Unit: N/A

For: QUANTUM CRYPTOGRAPHIC  
COMMUNICATION APPARATUS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A summary/abstract translation of the non-English language references is enclosed. Additionally, the documents not cited in the Search Report, can be found cited on page 4 of the specification.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark

Application No.: NEW

Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of some of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

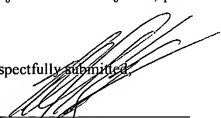
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 29, 2006

Respectfully submitted,

By   
Michael K. Mutter  
Registration No.: 29,680  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

IAP6 Rec'd PCT/PTO 29 AUG 2006

PTO/SB/08a (07-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number	NEW/590970	
			Filing Date	August 29, 2006	
			First Named Inventor	Tsuyoshi NISHIOKA	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	0054-0323PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.†	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-6,188,768-B1	02-13-2001	BETHUNE et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.†	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T‡
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>2</sup> (if known)	MM-DD-YYYY			
	BA	JP-2003-289298-A	10-10-2003			ABS
	BB	JP-5-241104-A	09-21-1993			ABS

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. † CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(ii)) because that application was filed after June 30, 2003 or is available in the IFW. † Applicant's unique citation designation number (optional). † See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. † Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). † For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. † Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. † Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			†*
	CA	NISHIOKA et al., Proceedings of the 2002 Symposium on Cryptography and Information Security, Vol. 1 of 2, pages 43-48.			
	CB	NISHIOKA et al., IEEE Photonics Technology Letters, April 19, 2002, Vol. 14, No. 4, pages 576-578.			
	CC	HASEGAWA et al., Proceedings of the 2003 Symposium on Cryptography and Information Security, Volume 2 of 2, pages 1125-1130.			
	CD	HASEGAWA et al., IEICE Transactions on Fundamentals of Electronics, Communications and Computer Sciences, Vol. E85-A, No. 1, January 1, 2002, pages 149-157.			
	CE	RIBORDY et al., Electronics Letters, 32, (22), pages 2116-2117, 1998.			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

† Applicant's unique citation designation number (optional). † Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Ronald Baum/	Date Considered	04/13/2010
--------------------	---------------	-----------------	------------